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REMARKS

In response to the Office Action dated December 5, 2006, which was made final, subsequent to the filing of a Notice of Appeal, and prior to the submission of an Appeal Brief, no claims have been amended. Claims 1-33 remain in the application. Entry of the attached Terminal Disclaimer is requested.

In the Office Action dated December 5, 2006, claims 1-33 were provisionally rejected on the grounds of nonstatutory double patenting over claim 1 and 3-33 of copending Application No. 09/669,556.


Applicants' attorney submits herewith a Terminal Disclaimer in order to overcome these rejections. Applicants' attorney requests entry of the Terminal Disclaimer in order to eliminate these rejections from the appeal.

Respectfully submitted,

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